

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSEPH WADE,

Plaintiff,

-v-

ROBERT RODRIGUEZ, in his official capacity, et al.,

Defendants.

CIVIL ACTION NO. 23 Civ. 4707 (PAE) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

On March 6, 2024, the Court issued an Order directing pro se Plaintiff Joseph Wade (“Mr. Wade”) to file by March 13, 2024 (i) a proposed case management plan (“PCMP”), and (ii) a response to Defendants’ request to stay discovery (see ECF No. 61 (the “Stay Request”)). (ECF No. 63). On March 12, 2024, Mr. Wade filed, inter alia, (i) a PCMP (ECF No. 64-1; see ECF No. 65)), (ii) a letter consenting to the Stay Request (ECF No. 69), and (iii) a motion under Federal Rule of Civil Procedure 19 seeking to add additional parties (ECF Nos. 66–68 (the “Rule 19 Motion”)). Mr. Wade also filed his opposition to Defendants’ pending motion to dismiss the First Amended Complaint (“FAC”). (ECF Nos. 70–72; see ECF No. 49 (the “MTD”)).

Having thoroughly reviewed the parties’ filings, the Court orders as follows:

1. The Stay Request is GRANTED. Discovery is hereby STAYED pending the Court’s resolution of the MTD.
2. The Rule 19 Motion is DENIED. To the extent Mr. Wade seeks to add additional parties or sue already-named parties in their individual, as opposed to official, capacities, the proper mechanism to do so would be a motion to amend the FAC under Federal Rule of

Civil Procedure 15(a)(2). To the extent Mr. Wade seeks to amend the FAC, he may file a motion for leave to do so after the Court resolves the MTD.

The Clerk of Court is respectfully directed to enter a stay of discovery and close ECF No. 67.

Dated: New York, New York
March 19, 2024

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge